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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,477	02/22/2002	Richard Brown	B-4518 619564-1	8511

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

TRUONG, THANHNGA B

ART UNIT	PAPER NUMBER
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2135

MAIL DATE	DELIVERY MODE
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05/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/080,477

Applicant(s)

BROWN ET AL.

Examiner

Thanhnga B. Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/5/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the communication filed on February 2, 2007.

Response to Argument

2. Applicant's arguments filed February 2, 2007 have been fully considered but they are not fully persuasive. However, after an in depth of updating the search, the examiner maintains the position with a new ground(s) of rejection herein on claims 1-18 in view of Otto (US 5,706,431). Thus the Non-Final office action mailed September 8, 2006 is now withdrawn. The office regrets any inconvenience due to the applicant. At this time claims 1-18 are rejected.

Allowable Subject Matter

3. The indicated allowability of claims 6-9, 11-18 are withdrawn in view of the newly discovered reference(s) to Otto (US 5,706,431). Rejections based on the newly cited reference(s) follow.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on February 5, 2007 was filed after the mailing date of the non-final office action mailed on September 8, 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens et al (US 6,539,425 B1), and further in view of Otto (US 5,706,431).

a. *Referring to claim 1-18:*

i. Stevens teaches a method of operating a trusted computing system:

(1) an assessor computing device receiving via the network a report from, and pertaining to the trustworthiness of, a first computing device, and the assessor computing device updating via the network the trust policy of a second computing device in accordance with the report [i.e., individual branches or entire sub-trees of directory information and executables at a network device such as 720-i may be accessed by other network devices through LDAP server interface 725-i. Such server interfaces interconnect network devices through access paths, e.g., broken line paths such as 780, 781 and 782 in FIG. 7, to provide information and executable modules through standard network messaging. Thus, client and server functions at individual network devices (such as LDAP server processor 530-(N-1) and client processor 530-N in FIG. 5) receive and send policy information (including executables) to other network devices 720 in FIG. 7. Network 790 in FIG. 7 may be a local area network (LAN) or a public or private wide area network (WAN), including the Internet. An important advantage of storing policy information and executables at individual network devices is that data or control functionality unique to a device or set of network devices can be stored at an optimal location in the network, rather than at, e.g., one or more of the replicated directory servers 610 or 700. Thus, policy information for particular network devices, or types of device, can be stored or executed at a representative one of these devices: the devices can rely on information or executables available at that representative device to generate updated control information for itself and any peer or colleague devices similarly affected by the policy change. This updated policy information available locally at one of these devices is advantageously provided to other affected network devices upon request or pushed under locally determined circumstances (column 13, lines 54-67 through column 14, lines 1-15 of Stevens)].

ii. Although Stevens teaches information to be updated to the network node (column 1, lines 52-67 of Stevens), Stevens is silent on the capability of updating the report via the network. On the other hand, Otto teaches this limitation on

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column 8, lines 40-47 and line 63 through column 9, line 11; and see also Figure 5, element 110 of Otto.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the invention of Stevens with the teaching of Otto for distributing updates to nodes of a hierarchical communications network that cascade the updates through the network as a function of its hierarchy. **(column 1, lines 18-20 of Otto).**

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Stevens with the teaching of Otto for propagating revisions through a communications network, wherein the communications network includes a plurality of associated nodes **(column 2 lines 20-22 of Otto).**

b. Referring to claims 2-5, and 7-8:

i. These claims have limitations that is similar to those of claim 1, thus they are rejected with the same rationale applied against claim 1 above.

c. Referring to claim 6:

i. The combination of teaching between Stevens and Otto teaches a method of operating a trusted computing system. Otto further teaches:

(1) wherein the first computing device is caused to report by being started-up or reset, or by an undesirable event occurring **(column 8, lines 48-66 of Otto).**

d. Referring to claim 9:

i. This claim have limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

ii. The combination of teaching between Stevens and Otto teaches a method of operating a trusted computing system comprising multiple computing devices on a network. Otto further teaches:

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(1) a trust policy controller receiving report via the network (see Figure 5, element 110 and column 8, line 63 through column 9, line 11 of Otto).

e. Referring to claim 10:

i. This claim have limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

ii. The combination of teaching between Stevens and Otto teaches a method of operating a trusted computing system comprising multiple computing devices on a network. Otto further teaches:

(1) a trust policy controller receiving report via the network pertaining to the trustworthiness of each said computing device (see Figure 5, element 110 and column 8, line 63 through column 9, line 11 of Otto).

f. Referring to claims 11-18:

i. These claims have limitations that is similar to those of claims 1-10, thus they are rejected with the same rationale applied against claims 1-10 above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Smith et al (US 6,785,015 B1) disclose a system and method for monitoring a computer system process or peripheral (see Title).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Channing B. Day
AU2135

TBT

April 26, 2007